

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BARBARA E. VARNER,
Plaintiff

v.

COMMONWEALTH OF PENNSYLVANIA,
NINTH JUDICIAL DISTRICT,
CUMBERLAND COUNTY;
CUMBERLAND COUNTY; S. GARETH
GRAHAM, individually; and JOSEPH
OSENKARSKI, individually,
Defendants

CIVIL ACTION
NO: 1:CV 01-0725

JURY TRIAL DEMANDED

Judge Yvette Kane

JOINT MOTION
FOR EXTENSION OF DISCOVERY DEADLINES

FILED
HARRISBURG, PA

APR 25 2003

MARY E. D'ANDREA, CLERK
PENNSYLVANIA

All counsel jointly request that the Court extend the discovery deadlines so that all discovery shall be completed no later than sixty (60) days after the Court's ruling on the pending discovery motion to compel the production of documents and the deposition of David W. DeLuce filed coincident with this joint motion. It is further requested that all other deadlines set forth in this Court's Order dated December 3, 2002 shall be similarly extended. Counsel state in support of their motion as follows:

1. Plaintiff commenced this action on April 26, 2001 by filing a complaint.
2. All defendants filed motions to dismiss the complaint by July 5, 2001, which motions were decided by this Court on September 30, 2002.
3. On December 3, 2002, the Court issued a Scheduling Order providing, *inter alia*, that discovery shall be completed by April 30, 2003 and that any dispositive motions, as

well as supporting briefs, be filed on or before June 18, 2003. The Order also provided that the case be listed for trial in October, 2003.

4. The parties have conducted extensive written discovery and have taken thirteen depositions to date.

5. An additional five depositions have been scheduled for April 28 and 29, 2003.

6. The plaintiff cannot complete discovery until she has received a ruling on the pending discovery motion.

7. It is anticipated that any required production of documents or the taking of the DeLuce deposition may prompt the other parties to engage in additional discovery.

8. Scheduling depositions with five attorneys frequently requires sixty days to find dates on which all counsel and the witness are available.

WHEREFORE, all parties respectfully request that the Court rule on the pending motions to compel and grant the parties sixty additional days to complete discovery after making this ruling.

Respectfully submitted,

Debra K. Wallet

Debra K. Wallet, Esquire
24 N. 32nd Street
Camp Hill, PA 17011
I.D. #23989
(717) 737-1300
Attorney for Plaintiff

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CERTIFICATE OF CONCURRENCE

I, Debra K. Wallet, Esq., hereby certify that on April 8, 2003, all counsel, namely Paul J. Dellasega, Esq. (Attorney for Cumberland County), A. Taylor Williams, Esq. (Attorney for Commonwealth of PA, Ninth Judicial District), David J. MacMain, Esq. (Attorney for Defendant Graham), and Paul Lancaster Adams, Esq. (Attorney for Defendant Osenkarski), indicated their concurrence in the attached motion requesting the extension of discovery until sixty days after the Court's ruling on the pending discovery motion.

Debra K. Wallet
Debra K. Wallet, Esquire
Attorney for Plaintiff

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PROOF OF SERVICE

I, Debra K. Wallet, Esq., hereby certify that on April 25, 2003, I served a copy of the
JOINT MOTION FOR EXTENSION OF DISCOVERY DEADLINES by first class mail,
postage prepaid, addressed to:

James K. Thomas, II, Esq.
Paul J. Dellasega, Esq.
THOMAS, THOMAS & HAFER, LLP
305 North Front St., 6th Floor
P.O. Box 999
Harrisburg, PA 17108
Attorney for Cumberland County

A. Taylor Williams, Esq.
Administrative Office of Pennsylvania Courts
1515 Market Street, Suite 1414
Philadelphia, PA 19102
Attorney for Commonwealth of PA, Ninth Judicial District

David J. MacMain, Esq.
MONTGOMERY, McCRACKEN, WALKER & RHOADS, LLP
123 South Broad Street
Philadelphia, PA 19109
Attorney for Defendant S. Gareth Graham

Paul Lancaster Adams, Esq.
SWEENEY & SHEEHAN
1515 Market Street, 15th Floor
Philadelphia, PA 19102-1983
Attorney for Defendant Joseph Osenkarski

Debra K. Varner
Debra K. Varner, Esquire
24 North 32nd Street
Camp Hill, PA 17011
(717) 737-1300
I.D. No. 23989
Attorney for Plaintiff Barbara E.
Varner